

Remarks

Claims 62 and 64 have been amended leaving claims 62-69 pending in the application.

The Examiner has objected to the drawings and specification. Claim 64 stood rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Both the drawings and specification support the pending claims. With reference to Fig. 1 for example, item 62 is demonstrative of a head elongated segment; items 29-32 are demonstrative lateral elongate segments having proximal and distal portions. Claim 64 has been amended and as amended is believed to be sufficiently definite.

Claims 62-65 and 67 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Srivastava (US 6,225,745 B1). Claims 66, 68 and 69 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Srivastava (US 6,225,745 B1) in view of Onda et al (US 5,395,482). Claim 62 has been amended and Applicant requests the Examiner reconsider this rejection in view of the amendment and following remarks.

The Examiner is respectfully referred to MPEP §2142, which recites, in part:

To establish a *prima facie* case of obviousness, . . . the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed

combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Claim 64 recites, in pertinent part, a reactive precursor feeding manifold assembly, that includes an elongate body having a first end extending along a longitudinal axis to a second end, the body defining a continuous tubular chamber having a continuous sidewall with the first end defining a head of the body and the second end defining a flange encompassing an opening defined by the sidewall of the body.

Claim 64 goes on to recite a head elongated segment extending from the head along the axis to a single inlet valve, the head segment being aligned along the axis with the opening and in fluid communication with the chamber; and

Claim 64 also recites a plurality of lateral elongate segments extending from the sidewall normal to the axis, individual ones of the lateral segments being in fluid communication with the chamber and extending to individual multi-inlet valves.

The Examiner opines that the '745 reference describes an elongate body (38 + 34 + 32b, defining a tubular chamber) having a first end near bottom-most 36 and a second end 51. The '745 reference describes 38 and 36 as portions of a gas box 12 where the gases forming the desired mixture are stored in separate supplies (not shown) and mixed in the gas box by means of valves 36 and piping 38. Certainly this configuration cannot be considered continuous as recited by claim 62 and for at least this reason,

the '745 reference or any reasonably obvious derivation thereof does not teach all the elements recited in claim 62.


Claims 63-69 depend from claim 62 and are allowable for at least the reasons given above regarding claim 62.

The Examiner is requested to telephone the undersigned if the Examiner believes such would facilitate prosecution of the present application. The undersigned is available for telephone consultation at (509) 624-4276 Monday through Friday between 8:00 a.m. and 5:00 p.m. (PST).

Respectfully submitted,

Dated: 5/26/09

By: _____


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